AGENDA ITEM SUMMARY

TITLE:
Receive Report, Conduct Public Hearing, and Consider Introducing by Title Only and Waiving the First Reading of Ordinance 969-2021 Amending Chapter 14.06 (Water Conservation) of Title 9 (Water and Sewers) of the Fort Bragg Municipal Code

ISSUE:
The City of Fort Bragg Municipal Code Chapter 14.06, Water Conservation, sets forth the parameters for the City to declare a water emergency and implement mandatory water conservation consistent with the Stage or level of the emergency. However, staff has determined that the parameters as set forth in the Municipal Code occur too late in a water shortage for water conservation to be truly effective in managing a water emergency. Action is necessary before the those thresholds are met and not after.

The proposed ordinance allows the City Manager to determine what conservation stage, of five, is necessary after considering the reliability of the water sources available and other factors, including the success or lack of success in less stringent conservation stages. The proposed changes to Chapter 14.06, still provide that a Stage 3 Water Emergency, a Stage 4 Water Crisis, or a Stage 5 Critical Water Shortage can only be declared by a City Council resolution after a public hearing.

ANALYSIS:
The current Fort Bragg Municipal Code Chapter 14.06, Water Conservation, section 14.06.020 was most recently updated on January 25, 2016 and sets forth the four independent triggers that measure the City's ability to replenish water storage:

A. The City is unable to maintain a 10% buffer between its ability to replenish water in its storage tanks and the total daily demand for water; or

B. A level of 80% or less of the total storage capacity providing pressure to the City water distribution system is reached and the City is unable to replenish water in its storage tanks in a reliable manner; or

C. The City is unable to keep the finished water tanks at predetermined levels for more than 24 hours. Levels shall be determined upon consultation with Public Works and Fire Department staff; or

D. The City is mandated by the State of California to implement water conservation measures.

The City has not currently met any one of those requirements, as was the case last August,

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when like this year the City Council asked for voluntary compliance with a Stage 1 Water Emergency. To better respond to drought conditions, City staff is recommending the City Council adopt the proposed revisions to the Water Conservation Chapter of the Municipal Code.

RECOMMENDED ACTION:
1. Open the public hearing, receive staff report, take testimony from the public, close the public hearing and deliberate; and
2. Introduce, by title only, and waive further reading of Ordinance No. 969-2021, amending Chapter 14.06 (Water Conservation) of Title 9 (Water and Sewers) of the Fort Bragg Municipal Code.

ALTERNATIVE ACTION(S):
1. Hold a public hearing, close the hearing, deliberate without a decision and revisit the Ordinance at the next City Council meeting.
2. Do not hold a public hearing and/or introduce Ordinance No. 969-2021.
3. Provide alternative direction to staff.

FISCAL IMPACT:
Reduced water usage will impact Water Fund revenues during the time frame customers practice water conservation, however, the water fund's reserves and fund balance can absorb the loss.

GREENHOUSE GAS EMISSIONS IMPACT:
Reduced water usage will have an incremental reduction in pumping and water treatment, which will result in a small decrease in the use of electricity and resulting greenhouse gas emissions.

CONSISTENCY:
N/A

IMPLEMENTATION/TIMEFRAMES:
Pursuant to Water Code 376(a), the Ordinance is effective upon adoption. Assuming the City Council introduces the Ordinance on June 28, 2021 and adopts it at the next regular City Council meeting on July 12, 2021. It will be effective July 12, 2021.

ATTACHMENTS:
1. Ordinance

NOTIFICATION:
N/A.